

REMARKS

Claims 1-10 were pending and under consideration in the above-identified application. In the Office Action of March 6, 2008, claims 1-10 were rejected.

With this Amendment, claims 1, 3, 4, 6 and 8 are amended. Accordingly, claims 1-10 are at issue.

I. Objection To Drawings

The Examiner objected to the drawings under 37 C.F.R. § 1.83(a), indicating that the Figure 5 does not match the disclosure. Applicant respectfully traverses this objection.

Figure 5 depicts the broadcast receiving unit being on regardless of the CDPWRF flag value and the CD/Cassette/Line Inputs off when the CDPWRF flag is 0 and on when the CDPWRF flag is 1. The specification states that the CD power is turned off when the CDPWRF flag is 0 and the CD power is turned on when the CDPWRF flag is 1 and that the broadcast receiving unit is on regardless of the CDPWRF flag's value. See, U.S. Pat. Pub. No. 2005/0090214, Para. [0054]-[0055].

Accordingly, Figure 5 as currently shown correctly reflects the disclosed operation of the apparatus. Accordingly, Applicant respectfully requests withdrawal of this objection.

II. 35 U.S.C. § 112 Indefiniteness Rejection of Claims

Claims 1 and 4 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

In response to this Office Action, claims 1 and 4 are amended to accommodate the Examiner's request and to overcome the rejections. No new matter was added in the making of these amendments.

Accordingly, Applicant respectfully requests withdrawal of this rejection.

III. 35 U.S.C. § 102 Anticipation Rejection of Claims

Claims 1, 3, 4, 6, 8 and 10 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Namiki et al* (US 5130961). Applicant respectfully traverses this rejection.

In relevant part, each independent claims 1 and 6 now recites a digital reproducing unit operating in a first mode where the power to a digital reproducing unit is on while a tuner unit is on and receiving a broadcast signal, and a second mode where the power to the digital reproducing unit is off while the tuner unit is on and receiving a broadcast signal.

This is clearly unlike *Namiki*, which fails to disclose a digital reproducing unit operating in a first mode where the power to a digital reproducing unit is on while a tuner unit is on and receiving a broadcast signal, and a second mode where the power to the digital reproducing unit is off while the tuner unit is on and receiving a broadcast signal. Instead, *Namiki* discloses turning a CD player off and a tuner on when the tuner is selected and turning the CD player on and the tuner off automatically when a CD is inserted into the CD player. See, U.S. Pat. No. 5,130,961, Col. 3, l. 10-50. Since *Namiki* discloses controlling a tuner and a CD player such that one unit is on when the other is off, it fails to disclose a required element of the claim.

Further, in the Office Action of March 6, 2008, the Examiner states that the digital reproducing unit is equivalent to the photosensor as depicted in Fig. 4 element s5. See, Office Action of March 6, 2008, Page 4, lines 10-12. However, the claimed digital reproducing unit is capable of producing audio signals from digital data, unlike the photosensor disclosed is *Namiki* which is not capable of producing audio signals from digital data. See, U.S. Pat. Pub. No 2005/0090214, Para [0033]. Accordingly, the photosensor of *Namiki* is not equivalent to the digital reproducing unit claimed.

As the Applicant's specification discloses, by providing a digital reproducing unit operating in a first mode where the power to a digital reproducing unit is on while a tuner unit is on and receiving a broadcast signal, and a second mode where the power to the digital reproducing unit is off while the tuner unit is on and receiving a broadcast signal, the user is able to choose between eliminating noise on the tuner generated from the digital reproducing unit or keeping the digital reproducing unit powered on so the digital reproducing unit begins operating immediately when the function key is selected. See, U.S. Pat. Pub. No. 2005/0090214, Para. [0019]-[0021]. Since *Namiki* does not allow this type of manual selection, it is not capable of producing the same benefit.

Therefore, because *Namiki* fails to disclose or even fairly suggest all of the features of claims 1 and 6, the rejection is improper. Because claims 3, 4, 8 and 10 depend, either directly or indirectly from claims 1 and 6, those claims are patentable at least for the same reasons.

IV. 35 U.S.C. § 103 Obviousness Rejection of Claims

Claims 2, 4, 7 and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Namiki*. Applicant respectfully traverses this rejection.

As discussed above, claims 1 and 6 are allowable over *Namiki*.

Because claims 2, 4, 7 and 9 depend, either directly or indirectly from claims 1 and 6, those claims are patentable at least for the same reasons.

V. Conclusion

In view of the above amendments and remarks, Applicant submits that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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